

REGISTER NUMBER: 128

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 25 October 2006

Case number: 2006-507

Institution: EESC and COR

Legal basis: article 27-5 of the regulation CE 45/2001 ⁽¹⁾⁽¹⁾ OJ L 8, 12.01.2001INFORMATION TO BE GIVEN⁽²⁾⁽²⁾ Please attach all necessary backup documents

1/ Name and adress of the controller
 O'Higgins, Niall, IT Unit, Head of Unit, Bel/lard 99-101, 1040 Brussels
 DELEGATED CONTROLLERS
 Bamps, Johan, Head of Sector IT-Office Automation
 Morant, Jean-Pierre, Head of Service, IT - User Support Services
 Debrue, Jean-Marc, Head of Service IT-Telecom

2/ Organisational parts of the institution or body entrusted with the processing of personal data
 IT Unit (Directorate for Logistics and Translation)

3/ Name of the processing
 E-mail system of the EESC-COR consisting of:

- Front-end system & Global Address Book - Managed by IT-User Support Systems
- Back-end system - managed by IT-Office Automation
- Incoming and outgoing e-mail & anti-spam - managed by IT-Telecom

How incoming e-mail is processed:

Before reaching the users mailbox, incoming email goes through a number of filters which will stop dangerous or unwanted content. This applies also to outgoing email.

To protect against spam, no notifications or "out of office" messages are sent outside the Committees' network.

Incoming email

Every incoming email is passing through the rule set, described below:

- 1) Virus filter
- 2) Invalid addresses filter
- 3) Multimedia filter
- 4) Executable filter
- 5) Size filter
- 6) Encrypted filter
- 7) Undetermined filter

If email passes all the filters then it is sent to the Spamcheck application. Spamcheck either passes or quarantines emails using a few simple rules:

- 1) Recipient does not have the spamcheck service enabled — email is allowed through.
- 2) Recipient has the spamcheck service enabled — first the sender email address is compared with recipient white list, if a match is found, the email is allowed through. If there is no match in the white list, the email is quarantined and the sender will receive an email with a url. When the sender clicks on the link then its address is added to the white list of the recipient and the email is released. Otherwise it stays in the quarantine and then will be released for delivery to the user's spam mail folder. Finally the email arrives to the Exchange

<p>4/ Purpose or purposes of the processing</p> <p>To enable electronic communications and exchange of electronic messages and attachments amongst officials, Members and with external partners of the Committees.</p> <p>To offer to the Committees' e-mail system user the e-mail access to addresses of all internal correspondents and of main external partners (other institutions and bodies, external e-mail addresses of Members etc.).</p>
<p>5/ Description of the category or categories of data subjects</p> <p>EESC-COR Members & officials, officials etc. from other European institutions and bodies, subcontractors, European & world citizens.</p> <p>GLOBAL ADDRESS BOOK:</p> <p>EESC-COR Members & officials etc.</p> <p>Members & officials etc. from other European institutions and bodies</p>
<p>6/ Description of the data or categories of data (<i>including, if applicable, special categories of data (article 10) and/or origin of data</i>)</p> <p>E-mail message content (subject, body and attachments)</p> <p>E-mail message traffic information (sender, recipient, data, size)</p> <p>E-mail addresses and address book references</p> <p>Data fields for the e-mail messages:</p> <ul style="list-style-type: none"> - message header (traffic information), - subject, - body and - attachments <p>For the address book:</p> <ul style="list-style-type: none"> - first name, - last name, - alias (user name for computer system) <p>= committee</p> <ul style="list-style-type: none"> - office number - phone number - unit - e-mail address - country, group & bureau (Members) <p>For the address book of the other European institutions, the office number is not available.</p> <p>For the "spamcheck" database</p> <ul style="list-style-type: none"> - e-mail address of European and world citizens <p>Users may constitute their own personal address book. This address book is not shared. This address book is not controlled by the IT unit.</p> <p>Log files are used for solving technical problems and preparing anonymous statistics for trend analysis. The information related to the sender, the recipients, the subject, the date and the time of all the e-mails to/from the internet are stored in a logfile. For e-mail, all the addresses to which users have sent e-mails and from which they received e-mails that were not tagged as spam, are stored in a database. These addresses are used for filtering against spam and are kept for an unlimited duration.</p>
<p>7/ Information to be given to data subjects</p> <p>Information on the e-mail system is available on the intranet this information is mentioned (with indication of the location):</p> <ul style="list-style-type: none"> - in the documentation provided to the new officials during the "welcome" sessions - in the documentation provided to all users (Members & staff) <p>The principal IT publication for end-users is the "IT Guide" (see Annex V)</p> <p>Regular reminders are sent by e-mail concerning relevant issues from the "IT helpdesk".</p> <p>A privacy statement is published on the intranet (see Annex IV)</p> <p>The recommendations of the DPO are published on the intranet (see Annex III)</p> <p>The decision on acceptable use of the committees' computer system is published on the intranet (see Annex I)</p>
<p>8/ Procedures to grant rights of data subjects (<i>rights of access, to rectify, to block, to erase, to object</i>)</p> <p>An application is used for the creation, modification and deletion of e-mail accounts (see also point 7)</p>

9/ Automated / Manual processing operation Automated and manual
10/ Storage media of data Hard-disk (primary) and tape (backup)
11/ Legal basis and lawfulness of the processing operation By definition of an e-mail system, e-mail messages and attachments are sent out to and received from anybody around the world. The transfer (sending and receiving) of e-mail messages and attachments are necessary for the performance of tasks carried out by the European Economic and Social Committee and the Committee of the Regions as mandated by the treaties.
12/ The recipients or categories of recipient to whom the data might be disclosed Message recipients: potentially anybody in the world having an e-mail address. Internal e-mail system users: Committee Members & staff. Address book (data fields as indicated in this notification): - committee members & staff — e-mail services of other institutions — staff of other European institutions with whom bilateral agreements exist. Log-files: - administrators of the e-mail system (daily operations), - competent authorities in the context of investigations.
13/ retention policy of (categories of) personal data ADDRESS BOOK DATA: - As long as the data subject is a Committee official/staff or member - As long as the data subject is present in the address book of the respective other institutions - After deletion from the on-line address book, 6 months (maximum backup rotation time) E-mail messages: - After deletion by the user, 6 months (maximum backup rotation time) Note : there is no e-mail archiving system in operation. Log-files: - Maximum retention time 6 months (maximum backup rotation time)
13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (Please, specify the time limits for every category, if applicable) BLOCKING: ERASURE: Data subjects have the right to obtain, without constraint, within three months of the receipt of a request, information regarding the processing of data relating to them. All requests must be submitted in writing. Such a request may be refused only where the provision of such information proves impossible or would involve for the department concerned an effort disproportionate to the final purpose
14/ Historical, statistical or scientific purposes <i>If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification,</i> Anonymous statistics are kept on the number and volume of e-mails exchanged. These are used for reporting to the hierarchy and trend analysis.
15/ Proposed transfers of data to third countries or international organisations N/A
16/ The processing operation presents specific risk which justifies prior checking (<i>please describe</i>): AS FORESEEN IN: Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures, Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject, Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

<p>Article 27.2.(d)</p> <p>Processing operations for the purpose of excluding individuals from a right, benefit or contract,</p> <p><input checked="" type="checkbox"/> Other (general concept in Article 27.1). E-monitoring</p>
<p>17/ Comments</p> <p>N/A</p>
<p>PLACE AND DATE: Brussels, 18 October 2006</p> <p>DATA PROTECTION OFFICER: Elena Fierro (for the EESC) and Petra Candellier (for the CoR)</p> <p>INSTITUTION OR BODY:European Economic and Social Committee and the Committee of the Regions</p>